

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, AUGUST 6, 2001

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Borys, Kreider, Raser, Senhauser, Spraul-Schmidt, Sullebarger and Wallace present. Members absent: Bloomfield and Dale.

MINUTES

The minutes of the July 23, 2001, meeting were approved (motion by Raser second by Spraul-Schmidt).

CERTIFICATE OF APPROPRIATENESS, 1321 PENDLETON STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT

Staff member Daniel Young summarized the staff report on this application to demolish a non-significant rear shed addition and replace it with a deck to provide outdoor seating. The new deck will be constructed of steel to comply with building code restrictions, but the metal legs of the deck will be wrapped with wood. Wood-panel railings will resemble historic railings on stair/deck assemblies in Over-the-Rhine; the entire assembly will be painted to complement the rest of the building. Although raised, the deck will be accessed from the first floor. Mr. Young said no communication has been received on this proposal. Owner J. Verdin spoke in favor of the project.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger second by Spraul-Schmidt) to approve the staff recommendation to approve a Certificate of Appropriateness for the demolition of a rear addition and construction of a deck.

DOWNTOWN DEVELOPMENT VARIANCE AND CERTIFICATE OF APPROPRIATENESS, 1014 VINE STREET, COURT STREET HISTORIC DISTRICT

Staff member Julia Carney summarized the staff report on this application to install a temporary banner for the Cincinnati Symphony Orchestra (CSO) on the south (Court Street) elevation of the Kroger Company building, a non-contributing building in the Court Street Historic District. The banner will hang from September 1 through October 31, 2001.

Applicant Rosemary Weathers was present. In response to Mr. Kreider's question, she said the banner will be attached to the building by metal fixtures bolted into the mortar of the building.

BOARD ACTION

The Board voted unanimously (motion by Spraul-Schmidt second by Raser) to:

1. Approve a Certificate of Appropriateness for the installation of the banner report from September 1, 2001 through October 31, 2001, as illustrated in the design and photographs incorporated into the staff report.
2. Grant a variance from the strict application of the Downtown Development Regulations to permit the installation of the proposed banner as illustrated in the design and photographs, finding that such relief from the literal implication of the Zoning Code:
 - (a) Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
 - (b) Will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.

**HISTORIC DESIGNATION, OVER-THE-RHINE (NORTH) HISTORIC DISTRICT
PUBLIC HEARING**

Urban Conservator William Forwood presented the staff report recommending acceptance of the Over-the-Rhine (North) Historic District. He indicated that its recommendation includes a modification to the draft ordinance and guidelines. Specifically, staff recommended that Section 5 of the ordinance be deleted and that the language of Section 5-c (iii) of the draft ordinance be incorporated into the OTR (North) Historic District Conservation Guidelines under Site Improvements, B. Specific Guidelines, 1. Parking Lots. This change is based on the advice of the Law Department that the historic conservation legislation does not grant the HCB the authority to regulate use, but could adopt guidelines for parking without amending the base historic legislation. Mr. Forwood explained that the OTR Master Plan Steering Committee had voted to support the OTR (North) designation in its original form and had not addressed the proposed modification.

Mr. Forwood also indicated that the great majority of the proposed district is zoned B-4 or M-2 which permits parking; only a small portion of the district is zoned R-6 or O-1 where parking is a conditional use. The Findlay Market EQ guidelines address landscaping/screening and encourage the placement of parking at the rear of sites.

Mr. Forwood said that there had been much discussion by all parties regarding the appropriate maximum distance from a parking lot to the building it serves. He said the board is not bound by either the NHR's 100 feet or the maximum 600 feet presently within the zoning code. Mr. Raser suggested that the parking guideline is to prevent remote parking in OTR for the downtown area. Ms. Wallace said that demolition, especially for parking, is a concern the HCB committee hears frequently from the neighborhood. The Board felt that 100 feet may be too close, but 600 feet seemed too far. After discussion, the Board agreed to a compromise of 300 feet.

Ms. Cowden explained that the OTR Planning Steering Committee and its subcommittees have sought the proposed ordinance in response to the October 1, 2001 expiration date of the Neighborhood Housing Retention (NHR) Ordinance covering OTR. Major concerns are parking, site improvements, demolition, existing building renovation and new construction guidelines compatible with the Over-the-Rhine (South) Historic District. Ms. Cowden explained that the language of the guidelines has been updated to recognize changes in materials and technology such as permitting split-face concrete block or synthetic window replacements, on a case-by-case basis.

Mr. Young explained that the documentation of the history and significance of the OTR North and South districts are similar, because they are historically one neighborhood. He said that most of the text was identical to that of the Over-the-Rhine book published by the Historic Conservation Office in 1995.

Ms. Spraul-Schmidt reported on behalf of the HCB committee (which included Ms. Sullebarger and Wallace) appointed to review the proposed guidelines. Ms. Spraul-Schmidt said the committee attended community meetings, met with HCO staff, neighborhood residents, business-owners and developers and incorporated their recommendations into this proposal. She said the committee was pleased that the guidelines had been modified to include technological advances and supported adoption of the staff recommendation to incorporate portions of the NHR parking restrictions within the guidelines as being in the best interest of both the neighborhood and the City as a whole.

Mr. Denny Dellinger, architect and developer in Over-the-Rhine spoke in favor of the designation.

Ms. Debbie Mays and John Hauck, Esq., Co-Chairpersons for the OTR Master Plan Housing Issue Committee spoke in favor of the designation. They each indicated that parking and the demolition of existing buildings were areas of prime concern to the neighborhood.

Ms. Carrie Johnson and Ms. Nannie Hinkston spoke against the designation. Their objections centered on the exclusion of the Mohawk/ McMicken area from the proposed historic district. They felt that area would be left unprotected when the NHR expires and that the OTR (North) and should be extended to the northwestern limits of the OTR neighborhood. They emphasized that the maintenance of affordable housing and local amenities is crucial.

Ms. Bonnie Neumeier agreed that Mohawk area should be included and was concerned that the proposed historic district guidelines will not offer as much protection for housing as the NHR. Likewise, the historic district designation will not replace the NHR as a source of funds to develop low-income housing.

Ms. Mary Burke was concerned that historic designation would add a layer of review that could delay and increase the cost of repairs and maintenance, especially for developers of low-income housing.

Mr. Ron Bollinger and Rev. Rober Burns-Watson of St Philippus Church said that historic designation would prohibit the church from making necessary changes to the exterior (such as installing unbreakable glass) and add to their costs.

Mr. Rolan Reliford objected to including portions of Mt. Auburn within the district boundary. He argued that OTR had traditionally ended at Liberty Street and that the hillside architecture of the northern portion of the district is unlike that to the south. He said the northern boundary of the proposed OTR (North) historic district encompasses the most developable part of the southwest quadrant of Mt. Auburn.

There was the general feeling that the updated guidelines proposed for the OTR (North) should be extended to the OTR (South) historic district and that enforcement should be uniform throughout both districts. It was also suggested by those testifying that the City offer some form of assistance to low-income housing owners to comply with historic district guidelines.

BOARD ACTION

After discussion, Mr. Kreider called the question. The Board voted unanimously to vote on the motion by Spraul-Schmidt, second by Raser, to favorably recommend to the City Planning Commission and to City Council the designation of the Over-the-Rhine (North) Historic District, as described in the "Over-the-Rhine (North) Historic District Designation Report" and platted on the accompanying map, including adoption of the "Over-the-Rhine (North) Historic District Conservation Guidelines, with the recommendation that Section 5 be removed from the ordinance and that the language of Section 5-c)iii of the ordinance be incorporated into the Guidelines under Site Improvements, B. Specific Guidelines, 1. Parking Lots, as follows: "A lot used for surface parking of motor vehicles should be for the exclusive use of owners, occupants and customers of a building located within 300 feet of the lot, and shall be subject to a restrictive covenant to implement this provision."

OTHER BUSINESS

1. Mr. Kreider moved; Ms. Sullebarger seconded and the Board unanimously approved a motion to direct staff to prepare modifications to the existing OTR (South) guidelines to conform to the new OTR (North) guidelines and to begin the process of adopting the proposed guidelines to OTR (South) Historic District. Mr. Kreider stated that he wishes it to be of record that the goal of the OTR Planning Steering Committee and the HCB is to treat all of OTR as one community.

Mr. Senhauser explained that because the proposed ordinance approved today by the HCB may be modified by the City Planning Commission and/or City Council, there may be good reason not to change the guidelines in OTR (South) until City Council has acted on the proposed OTR (North) district.

2. Mr. Kreider moved; Mr. Raser seconded and the HCB voted unanimously that the HCB direct staff to prepare a designation study of the Mohawk area of Over-the-Rhine [west of the proposed OTR (North) historic district] and that the HCB petition the Department of City Planning to establish an IDC in the Mohawk

neighborhood to protect its buildings from demolition while the designation study is under way. Mr. Kreider thanked Ms. Hinkston and Ms. Johnson for bringing this to the Board's attention.

ADJOURNMENT

As there were no other items for consideration by the Board, the meeting adjourned (motion by Spraul-Schmidt second by Borys).

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date